

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

EARL BAILEY,  
Plaintiff,

v.

DALLAS COUNTY SCHOOLS,  
DENNIS JOHNSON, JANICE SMITH,  
AARON HOBBS, and ROOSEVELT  
ARMSTRONG,  
Defendants.

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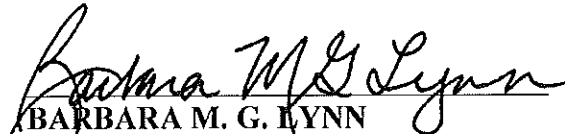
Civil Action No. 3:16-CV-1642-M

ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE

After reviewing the Findings, Conclusions, and Recommendation of the United States Magistrate Judge for plain error, I am of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

*Defendants' Motion to Dismiss Pursuant to Rule 12(b)(1) or 12(b)(6), filed July 1, 2016 (doc. 23), is GRANTED.* By separate judgment, the plaintiff's claims against Dallas County Schools will be **DISMISSED without prejudice** for failure to exhaust administrative remedies, and the plaintiff's claims against Dennis Johnson, Janice Smith, Aaron Hobbs, and Roosevelt Armstrong will be **DISMISSED with prejudice** for failure to state a claim.

SIGNED this 4th day of January, 2017.

  
BARBARA M. G. LYNN  
CHIEF JUDGE